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 FILED
 RICHARD W. HARRIS
 CLERK, U.S. DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

COMPLAINT BY A PRISONER UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. § 1983

Name DONNERSON CHRISTOPHER R.
 (Last) (First) (Initial)

Prisoner Number E46616 SALINAS VALLEY STATE PRISON

Institutional Address PO BOX 1050, SOLEDAD CALIFORNIA,
93960

UNITED STATES DISTRICT COURT **E-filing**
 FOR THE NORTHERN DISTRICT OF CALIFORNIA

WHA

CHRISTOPHER ROBERT DONNERSON
 (Enter the full name of the
 plaintiff in this action)

CV 08 4037
 Case No. 4037
 (To be provided by the clerk
 of court)

vs.

(PR)

WARDEN JOE MCGRATH
LIEUTENANT R. S. MARQUEZ
PROPERTY OFFICER R. SHELLABARGER
PROPERTY OFFICER REAMS
 (Enter the full name of the
 defendant(s) in this action)

COMPLAINT UNDER THE CIVIL
 RIGHTS ACT, 42 U.S.C. § 1983

(☒) DEMAND FOR JURY TRIAL
 (☐) NO JURY TRIAL DEMAND
 (check one only)

All questions on this complaint form must be answered in order
 for your action to proceed.

I. Exhaustion of Administrative Remedies

Note: You must exhaust your administrative remedies before
 your claim can go forward. The court will dismiss any
 unexhausted claims.

- A. Place of present confinement SALINAS VALLEY STATE PRISON
- B. Is there a grievance procedure in this institution?
 YES (☒) NO (☐)
- C. Did you present the facts in your complaint for review
 through the grievance procedure? YES (☒) NO (☐)

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D. If your answer is YES, list the appeal number and the date and result of the appeal at each level of review. If you did not pursue a certain level of appeal, explain why.

1. Informal appeal APPEAL LOG NO. PBSP-008-00953

BYPASSED

2. First formal level REFERRED TO APPEALS COORDINATOR
FOR FURTHER REVIEW AND THEN CANCELLED

3. Second formal level WOULD NOT GIVE ME A RESPONSE

4. Third formal level WOULD NOT GIVE ME A RESPONSE

E. Is the last level to which you appealed the highest level of appeal available to you? YES (☒) NO (☐)

F. If you did not present your claim for review through the grievance procedure, explain why. _____

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II. Parties

Write your name and your present address. Do the same for additional plaintiffs, if any.

A. CHRISTOPHER R. DONNERSON, SALINAS VALLEY STATE PRISON,
P.O. BOX 1050, SOLEDAD, CALIFORNIA, 93960

Write the full name of each defendant, his or her official position, and his or her place of employment.

B. WARDEN JOE MCGRATH, IGI LIEUTENANT R. S. MARQUEZ,
PSU PROPERTY OFFICER R. SHELLABARGER, Ad SEG PROPERTY
OFFICER REAMS, ALL DEFENDANTS WORK A PELICAN BAY
STATE PRISON.

III. Statement of Claim

State here as briefly as possible the facts of your case. Be sure to describe how each defendant is involved and to include dates, when possible. Do not give any legal arguments or cite any cases or statutes. If you have more than one claim, each claim should be set forth in a separate numbered paragraph.

IN JULY OF 2002 I WENT TO Ad. SEG. FOR ALLEGEDLY CONSPIRING TO MURDER STAFF AT PELICAN BAY STATE PRISON. MY PROPERTY WAS TAKEN AWAY FROM ME AND BOXED UP. I WAS GIVEN MINIMUM PROPERTY WHILE HOUSED IN Ad. SEG. BY PROPERTY OFFICER REAMS AND I WAS TOLD I WOULD RECEIVE THE REST OF MY PERSONAL PROPERTY WHEN THE PENDING RULES VIOLATION REPORT WAS RESOLVED. WHILE IN Ad. SEG. UNDER INVESTIGATION, LIEUTENANT MARQUEZ AND THE I.G.I. SQUAD CONFISCATED ALL OF MY PROPERTY IN STORAGE AND FROM THE CELL I WAS HOUSED IN. I HAD PACKED MY PERSONAL PROPERTY IN BOXES BEFORE I WENT TO Ad. SEG. AND I PLACED 78 BARS OF SOAP, A PAIR OF NIKE TENNIS SHOES AND BOOKS AND PAPERS ON THE NATION OF ISLAM IN A BOX TOGETHER. I HAD 2 PAIR OF TENNIS SHOES AND ANOTHER NEW PAIR I WORE TO Ad. SEG WHICH MAKES IT 3 PAIR OF SHOES I HAD TOTAL. THE INVENTORY SLIP REFLECTS 2 PAIR. THE BOX CONTAINING THE NIKE TENNIS SHOES, BOOKS AND PAPERS, AND SOAP IS THE PROPERTY IN QUESTION. THE CONTENTS IN THAT BOX WERE LOST, KEPT, OR THROWN AWAY BY THE I.G.I. SQUAD AT PELICAN BAY STATE PRISON. I JUST BECAME AWARE OF THIS ON OR ABOUT 3-13-08 WHEN I WAS GIVEN WHAT WAS SUPPOSE TO BE ALL OF MY PERSONAL PROPERTY SINCE JULY OF 2002, SO I'M SUING BECAUSE I'M BEING DENIED THE RIGHT TO APPEAL THE LOSS.

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MY 8th 14th AND 1st AMENDMENT RIGHTS HAVE BEEN AND ARE BEING VIOLATED BY THE NAMED DEFENDANTS AND OTHERS. I FILED A COMPLAINT AND EXHAUSTED MY STATE REMEDIES IN REGARD TO HOW THE PROPERTY WAS LOST AND ASKED TO BE COMPENSATED. WHAT I ASKED FOR COST LESS THAN \$200.00 AND WOULD HAVE COST THE STATE NOTHING. I CONTEND THAT THE I.G.I. SQUAD AND LIEUTENANT MARQUEZ KNOWINGLY DID AWAY WITH SOME OF THE PROPERTY IN QUESTION BECAUSE I AM A MEMBER OF THE NATION OF ISLAM SIMPLY BECAUSE THEY DON'T LIKE THE GROUP AND THEY KNEW IT WOULD INCITE ME. I HAVE A RIGHT TO WORSHIP AS I PLEASE, SO TAKING MY MATERIAL PURPOSELY VIOLATES THAT 1st AND 8th AMENDMENT RIGHT AND NOT ALLOWING ME TO APPEAL THE PROPERTY LOSS TO THE THIRD LEVEL VIOLATES MY 14th AMENDMENT RIGHT. WARDEN JOE MCGRATH IS OVER THE ENTIRE PRISON PROCESS AT PELICAN BAY STATE PRISON AND SHOULD HAVE KNOWN I.G.I. TOOK PERSONAL PROPERTY FROM ME. LIEUTENANT MARQUEZ KNOWINGLY TOOK THE PROPERTY AND SHOULD HAVE MADE SURE IT WAS RETURNED. PROPERTY OFFICERS REAMS AND R. SHELLABARGER KNEW THAT THE I.G.I. SQUAD TOOK PROPERTY AND IT WAS THEIR JOB TO SEE TO IT ALL PROPERTY WAS ACCOUNTED FOR AND RETURNED TO ME. NOW ALL NAMED DEFENDANTS ARE CONSPIRING TO HIDE WHAT HAPPENED TO MY PERSONAL PROPERTY AND ARE BLOCKING MY RIGHT TO APPEAL WHAT HAPPENED WITH THE LOST PROPERTY IN QUESTION. I SHOULD BE ALLOWED TO PURSUE THIS MATTER WITH THE COURTS AND I CAN PROVE I APPEALED IN A TIMELY MANNER SO MY RIGHTS ARE BEING VIOLATED. ALL OF THIS IS PAYBACK FOR WHAT THEY THOUGHT WAS GOING TO HAPPEN TO STAFF AT PELICAN BAY STATE PRISON. I'M SUING BECAUSE I WOULD SIMPLY LIKE TO BE COMPENSATED FOR WHAT WAS TOOK OR LOST AND AGAIN I WOULD LIKE TO SETTLE THIS MATTER WITHOUT GOING TO A TRIAL BECAUSE IT'S A HASSEL FOR ME AND IT WILL COST THE STATE MORE TO DEFEND THIS ACTION THAN WHAT I OFFERED TO SETTLE FOR. WHAT I ASK FOR COST MAYBE \$200.00

IV. Relief

Your complaint cannot go forward unless you request specific relief. State briefly exactly what you want the court to do for you. Make no legal arguments; cite no cases or statutes.

I WOULD LIKE A JURY TRIAL AND IF THE DEFENDANTS ARE
FOUND TO HAVE VIOLATED MY RIGHTS, I WOULD LIKE TO
BE COMPENSATED FOR MY PROPERTY. I WOULD SEEK PUNITIVE
DAMAGES IN THE AMOUNT SET FORTH BY A JURY,

DATED: 7-28-08

Christopher Donnerson
 (Plaintiff's signature)

VERIFICATION
 (optional)

I am the plaintiff in the above-entitled action. I have read the foregoing complaint and know the contents thereof. The same is true of my own knowledge, except as to those matters which are therein alleged on information and belief, and as to those matters, I believe it to be true. I declare under penalty of perjury that the foregoing is true and correct.

Dated: 7-28-08

Christopher Donnerson
 (Plaintiff's signature)

JURY TRIAL DEMAND
 (optional)

I demand a jury trial for all claims for which a jury trial is allowed.

YES (☒)

NO (☐) (check one only)

Dated: 7-28-08

Christopher Donnerson
 (Plaintiff's signature)

Christopher Lamerson C46616
Salinas Valley State Prison
PD4-215
PO Box 1050
Soledad California 93960

RECEIVED

AUG 21 2003

RICHARD W. WINKING
CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

[Signature]

LEGAL MAIL ONLY

Office of the Clerk
U.S. District Court
Northern District of California
450 Golden State Avenue
#111

